

REMARKS

By this amendment, claims 1-23 are pending, in which claims 1-3, 5, 7-11, 13, 15, 21, and 23 are currently amended, and claims 24-28 are newly presented. Claims 4, 6, 14, 16, and 22 were previously canceled. No new matter is introduced.

The Final Office Action mailed September 15, 2009 rejected claims 1-23 under 35 U.S.C. § 102 as being anticipated by *Doss et al.* (US 20030046296).

First, Applicant acknowledges with appreciation the courtesy of a personal interview granted to Applicant's attorney on Dec. 9, 2009 at which time the claimed invention was explained in light of Applicant's disclosure and *Doss et al.* During the interview, which was also attended (via teleconference) by Primary Examiner Stephen D'Agosta, Applicant's representative discussed certain features relating to the selection between settings. The Examiner indicated that such feature would appear to distinguish over the art of record.

In view of the personal interview, to reduce issues for potential appeal, Applicants have amended independent claims 1, 11, and 21 recite, "**selecting a more restrictive setting based on a comparison of the first setting and the second setting.**" It was agreed, during the interview, that *Doss et al.* fails to disclose such features.

Turning now to newly presented claims 24-28, these claims depend from amended 21, and thus, are allowable.

Therefore, the present application, as amended, overcomes the rejection of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

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Date

/Phouphanomketh Ditthavong/

Phouphanomketh Ditthavong
Attorney/Agent for Applicant(s)
Reg. No. 44658

918 Prince Street
Alexandria, VA 22314
Tel. (703) 519-9952
Fax (703) 519-9958